

Rule 1004. Admissibility of other evidence of contents.

The original is not required, and other evidence of the contents of a writing, recording, or photograph is admissible if:

- (1) Originals Lost or Destroyed. – All originals are lost or have been destroyed, unless the proponent lost or destroyed them in bad faith; or
- (2) Original Not Obtainable. – No original can be obtained by any available judicial process or procedure; or
- (3) Original in Possession of Opponent. – At a time when an original was under the control of a party against whom offered, he was put on notice, by the pleadings or otherwise, that the contents would be a subject of proof at the hearing, and he does not produce the original at the hearing; or
- (4) Collateral Matters. – The writing, recording, or photograph is not closely related to a controlling issue. (1983, c. 701, s. 1.)